

### **REMARKS/ARGUMENTS**

This Amendment is filed in response to the Final Office Action mailed September 17, 2004 in the above captioned patent application. In that Office Action, all pending claims, with the exception of claims 30 and 34, were rejected over prior art. Claim 9 was also rejected under 35 USC Section 112, first paragraph. In order to better present the claims for appeal, Claims 9, 25-31 and 35 have been amended herein as discussed hereinafter.

Claim 9 has been amended to recite the monitored temperature being an accurate indication of the temperature of the mass of product. This amendment makes clear that the temperature monitor provides the monitored temperature of the mass of product and that the monitored temperature is a commercially acceptable indicator of the temperature of the mass of product. As the specification sets forth at Page 13, Line 31 through Page 14, line 16, the temperature monitor 280 gives a visual indication when the material being heated or cooled has reached a certain temperature. This surely is sufficient and adequate information to evaluate the temperature of the mass of product to the degree required in commercial applications.

Claims 25, 26, 28, 29, 31 and 35 have been amended to recite the length extends away from the output heat transfer element. This clarifies the length in the claims so that it can't be read on the long dimension of ribs 10R of Snyder et al as contended by the Examiner.

Claims 27 and 30 have been amended to recite the leading edge is spaced from the output heat transfer element. This also clarifies the position of the claimed edge relative to the Snyder et al patent.

Applicant respectfully requests entry of this Amendment in order to better present the claims for appeal. No fees are believed necessary for the proper filing of this Amendment. However, if any fees are necessary, including any other extension fees under Rule 136, please withdraw such fees as are necessary from Deposit Account 50-1274(12643/210).

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'W. Gustavson', with a long horizontal stroke extending to the right.

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